

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA

v.

LAURASENA GARLAND

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CR. NO. 2:07-CR-0193-MEF

**UNOPPOSED MOTION FOR LEAVE
TO DISMISS INDICTMENT WITHOUT PREJUDICE**

Comes now the United States of America by and through its Attorney for the Middle District of Alabama and moves this Court for leave to dismiss the Indictment heretofore filed in the above-styled cause as to Lurasena Garland (“Garland”), as follows:

1. On September 14, 2007, a federal grand jury indicted Garland on one count of making a materially false statement in a matter within the jurisdiction of the United States. This matter was ultimately set for trial before this Court on August 5, 2008.

2. On July 27, 2008, this Court conducted jury selection in anticipation of the August 5, 2008 trial.

3. Following the jury selection on July 27, 2008, Garland, her attorney, James R. Cooper, Jr., Esq., and the undersigned Assistant United States Attorney

(“AUSA”), met with one another to discuss a potential resolution of this matter. After this meeting, the undersigned AUSA received authorization from the Chief of the Criminal Division for the Middle District, and Acting United States Attorney, Louis V. Franklin, Jr., to extend the offer detailed in paragraph 4, below.

4. The offer extended to Garland was as follows: in exchange for the United States’ dismissal of the pending charges against Garland without prejudice, Garland would do the following: (1) testify truthfully in any investigation or subsequent prosecution of Quinterrus Riley (“Riley”) stemming from the circumstances surrounding the presence of a firearm in a hotel room occupied by both Garland and Riley on February 14, 2007; and, (2) plead guilty in Montgomery County, Alabama, Circuit Court to a charge of possessing a firearm without a license.

5. On July 29, 2008, Garland advised Mr. Cooper that she would accept the offer extended to her by the United States. Mr. Cooper agrees with the resolution of the case in this manner.

6. Based on the foregoing, the United States respectfully moves this Court for leave to dismiss the indictment without prejudice so that the matter may be resolved in accordance with the above-referenced agreement.

Respectfully submitted, this the 30th day of July, 2008.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Todd A. Brown
TODD A. BROWN
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CERTIFICATE OF SERVICE

I hereby certify that on July 30, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all attorneys of record.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Todd A. Brown
TODD A. BROWN
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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	CR. NO. 2:07-cr-193-MEF
)	
LAURASENA GARLAND)	

O R D E R

Upon consideration of the Motion for Leave to Dismiss the Indictment filed on July 30, 2008, heretofore filed in the above styled cause, and for good cause shown, the Court is of the opinion that the motion should be and the same hereby is granted. It is, therefore, CONSIDERED, ORDERED, ADJUDGED AND DECREED by the Court that said motion be and the same is hereby granted.

DONE this ____ day of _____, 2008.

UNITED STATES DISTRICT JUDGE

DISMISSAL OF INDICTMENT

Comes now the United States of America with leave of the Court first had and obtained and dismisses the Indictment heretofore filed on September 14, 2007, in the above styled cause.

Respectfully submitted,

LEURA G. CANARY
UNITED STATES ATTORNEY

/s/ Todd A. Brown
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